



PATENT
Docket No.: 2263/101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Jerry L. Toms)	Examiner:
)	J. Valenza
Serial No.	:	09/920,230)	
)	Art Unit:
Cnfrm No.	:	5306)	3651
)	
Filed	:	August 1, 2001)	
)	
For	:	DEVICE AND SYSTEM FOR USE IN)	
		IMAGING PARTICULATE MATTER)	

NOTICE OF APPEAL

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated September 10, 2003, finally rejecting claims 1-7 and 10.

As noted in the accompanying Petition under 37 C.F.R. § 1.127(b), the Commission is authorized to charge the \$250 cost of the appeal fee to Deposit Account No. 14-1138. Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

Respectfully submitted,

Dated: September 8, 2005


Edwin V. Merkel
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